



safety of the community. United States v. Bohe, 2005 WL 1026701, \*2 (D.N.D. April 28, 2005) (holding that “it is virtually impossible to comply with the forty-day time constraint set forth in 18 U.S.C. § 4243(c).”). The court will, therefore, reset the time for conducting a hearing to be within 40 days of the court’s receipt of the forensic report herein ordered because, as a practical matter, a defendant would be without evidence that could satisfy his burden without such report.

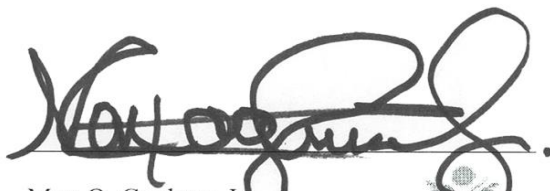
### **ORDER**

**IT IS, THEREFORE, ORDERED** that **BRADLEY STEVEN MADERA** is committed to a suitable facility until it is found that he would not create a substantial risk of bodily injury to another person or serious damage to the property of another.

**IT IS FURTHER ORDERED** that a psychiatric or psychological examination of defendant be conducted pursuant to 18 U.S.C. § 4243(b) to determine whether defendant’s release would create a substantial risk of bodily injury to another person or serious damage to the property of another. Within 45 days of defendant’s arrival at the facility conducting the examination a forensic report shall be completed and filed with this court.

**IT IS FURTHER ORDERED** that within 40 days of such forensic report being filed with this court under seal, the Clerk of Court shall schedule a Section 4243(c) hearing to determine whether continued hospitalization is warranted.

Signed: September 16, 2015

  
Max O. Cogburn Jr.  
United States District Judge